

e-Bugle

Garrett Bugle Internet Edition

Volume 56

March 2009

No. 3



Calendar

Wed., Feb. 25	Citizens Assoc. Mtg., Town Hall, 8 pm: discuss referendum (p 3)	Thurs., Mar. 12	Women's Club discussion, "Talking about Sex with Your Teenager," Town Hall, 7:30 pm (p 5)
Sat., Feb. 28	Coffeehouse, Town Hall, 7 pm (see p 5)	Sat., Mar. 14	Opera concert, Town Hall, 4 pm, to benefit Education Foundation (see p 6)
Mon., Mar. 2	Referendum, PO lobby, 7 am–7:30 pm (see p 2); weekly yard waste collection resumes; new hours for the PO (see p 2)	Thurs., Mar. 19	Jam Session, Town Hall, 8 pm
Thurs., Mar. 5	Jam Session, Town Hall, 8 pm	Wed., Mar. 25	Citizens Assoc. Mtg., Town Hall, 8 pm: Nominations for Town Council election
Sat., Mar. 7	GIVES, Penn Place, 9 am–1 pm	Sat., Mar. 28	Farmer's Market, Penn Place, 9 am–1 pm
Sun., Mar. 8	Meeting on independent living, Town Hall, 2 to 4 pm (see p 3)	Sun. Mar. 29	Voter registration, 8 am–noon, Town Office (see p 2)
Mon., Mar. 9	Town Council Mtg., Town Hall, 8 pm: budget (see p 2)	Sat., Apr. 4	Large item pickup
Tues., Mar. 10	Lunch Bunch, Town Hall, 12:30 pm; <i>Bugle</i> deadline, 4 pm		

A Calm Council Meeting

From gavel (at 8 pm) to gavel (at 9:15 pm—75 minutes minus 3 for a recess), the Town Council meeting on February 9 was a mix of calm recitation of recent activities and announcements of events to come. There were Councilmembers reporting on their areas of responsibilities and forward-looking plans for the 2010 budget.

The three-minute recess called by the Mayor at 8:20 pm did represent a break in the rather bucolic flow. When the smiling Mayor returned, he announced to the full Town Hall that a complete and binding settlement of the lawsuit

against the town had been reached. The town will not appeal the ruling of the judge and will issue a building permit to the Martin family. For their part, the Martins will not pursue the remaining three counts of the suit. The lawyers will prepare the formal materials.

In the remaining time, the referendum was the topic. A motion to hold the referendum on Ordinance 2008-05 on March 2 was passed by the Council. Discussion from the citizens included an array of preferences: support for March 2, wish to delay until the work of the Land Use Task Force

(continued next page)

Garrett Park Citizens Association
Garrett Park, Maryland 20896-0456

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(continued from previous page)

was finished, and a request that the referendum be added to the May election date. However, the vote was called, and the motion carried. Further plans to prepare ballots and hold a Citizens Association meeting with comprehensive publicity absorbed the attention of citizens, Council, and staff.

At 9:15 the Mayor raised the gavel to end the evening. There was a smattering of applause, and then as some small groups gathered, others went out into the balmy (for February) night.

Marian Green

Town Administrator Notes

Town Budget: The Council is currently working on the FY 2010 budget (July 2009 through June 2010), which will be introduced at the regular meeting on March 9. If any resident has comments or suggestions regarding next fiscal year's budget they should contact the Mayor, a Councilmember, or the Town Office.

Yard Waste Collection: Weekly yard waste collection begins on Monday, March 2. Please remember to bundle sticks in lengths of no more than 4 feet, and place clippings, leaves, etc., in paper leaf bags. No plastic bags, please.

Large Item Pickup: The next large item pickup is scheduled for Saturday, April 4.

State Tax Form Reminder: Please remember to write "Garrett Park" in the box labeled "City, town or taxing area" when filling out your state income tax forms. This ensures that our community receives its fair share of the income tax revenues that the state distributes to the 23 counties and 157 incorporated cities and towns throughout Maryland. This revenue supports many of the services the town provides to residents. Also, the Town Office can provide copies of most IRS forms, so stop by if you need any.

Referendum on Ordinance 2008-05: The referendum will be held on Monday, March 2. Polls are open from 7 am to 7:30 pm in the public lobby of the Post Office at Penn Place. Absentee ballots are available should you be out of town or unable to get to the polls on referendum day. Just call, e-mail, or stop by the Town Office. We will mail or bring one to you, or you can pick it up yourself. To be counted, an absentee ballot must be received by the Election Judges before the polls close at 7:30 pm. Results will be announced at the Town Hall, hopefully by 9 pm.

Town Elections 2009: Election Day in Garrett Park will be Monday, May 4. Polls are open from 7 am to 7:30 pm in the public lobby of the Post Office at Penn Place. The terms of office for Councilmembers Chuck Berry, Solange Hansen, and Jack Mandel are up this year. Candidate nominations will take place during the Citizens Association meeting on Wednesday, March 25, with the Candidates Forum set for Wednesday, April 22. Additional nominations may be made

by written petition signed by 10 registered voters and filed with the Town Office by 12 noon on Monday, April 13. The last day to register to vote in this election is Monday, April 6. (To be eligible to vote in a town election you must be registered with Montgomery County at your Garrett Park address, or on the list of qualified, noncitizen Garrett Park residents.) Absentee ballots will be available April 15 through 24, and may be mailed to you or picked up at the Town Office. Emergency absentee ballots may be requested after April 24 if something unexpected arises—please call the Town Office if you need an emergency absentee ballot. Results will be announced at a reception in the Town Hall, we hope by 9:30 pm.

If you have not voted in the last five years, your name will have been withdrawn from the active file by Montgomery County, and you will need to reregister. You may register at any time by calling the Town Office for the necessary forms (or for address change forms). You may also register in Town Hall during normal office hours. Special registration hours will also be held on Saturday, March 29, and Saturday, April 5, from 8 am until 12 noon at the Town Office. Please call the Town Office with any questions regarding registration, qualification of voters, nominations, etc.

Ted Pratt, Town Clerk-Administrator

Changes at the Post Office

The Post Office hours are changing, starting Monday, March 2.

- Monday through Friday: 9 am to 5 pm
- Saturday: 9 am to 1 pm

Also, the Post Office headquarters is going through changes. PO boxes can now be rented online, which causes problems for us. If you don't pay your PO box rent within 10 days of when it is due, the system will automatically rent your box to someone else. Don't blame our GP PO staff—they aren't in the least bit happy either.

Remember your loved ones with a fine oil or pastel portrait by Robert LeMar.

For an example of Robert's work, please see a photo of his portrait of the President on the GP bulletin board.

301-962-7451 | rlemar@verizon.net | www.rlemar.com/portraits

The *Garrett Bugle* is a publication of the Citizens Association of Garrett Park, published 10 times a year. Publication of the *Bugle* is supported by member dues. All residents of Garrett Park are members of the Citizens Association. Yearly dues (\$20 per family or \$10 per individual per address) can be sent to Citizens Association, Box 456, Garrett Park, MD 20896.

Citizens Association Officers:

President: Chris Strong
Co-Vice-Presidents: Mario Grande and Cathy Rinzel
Treasurer: Todd Harris
Secretary: Lara Hines
Members at large: Leslie Bethke-Pope, Mike Grieb, Cathy Mitchell

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Out-of-town subscriptions cost \$15 (first class) or \$13 (bulk mail). Letters to the editor can be submitted by mail or hand to *Bugle* staff or by e-mail through the town Web site: www.garrettpark-md.gov/submitBugleArticle.php. The editor reserves the right to edit submissions for length and clarity. Unsigned letters will not be printed.

Citizens Association News

The Garrett Park Citizens Association will host an open dialogue on February 25 at 8 pm in the Town Hall for the town's citizens to express concerns and opinions on the following:

1. The March 2 referendum on Garrett Park's lot area coverage ordinance.
2. The merits of Garrett Park maintaining its own overlay on lot area coverage versus following Montgomery County's zoning.

Please plan to attend.

Upcoming Meetings. On March 25, the Citizens Association will hold a meeting to accept nominations for the upcoming May 4 Town Council election. Three seats are up for election this year. Please consider running for one of these important positions. If interested, please have someone submit your nomination at this meeting.

On April 22, the Citizens Association will hold the annual Candidates' Forum. Council candidates for the three seats that are up for election will be on hand to discuss their views on issues important to the citizens of Garrett Park.

Annual Dues. The Citizens Association 2009 annual dues are being collected. The annual dues are \$10 for individuals and \$20 per family. Thank you to all of those who have already paid. For those who have not, please submit dues by mailing them to the Citizens Association at Box 456.

Garrett Park Listserv: To join this electronic forum, which allows neighbors to communicate information about town concerns, safety issues, upcoming events, and recommended services, e-mail Todd Harris or sign in at groups.yahoo.com/group/GarrettParkneighbors/join.

Questions or comments for the Citizens Association? If so, please send a note to P.O. Box 456 or e-mail Chris Strong.

All Are Invited

Please come to an all-community gathering on Sunday, March 8, from 2 to 4 pm at the Town Hall, to talk about seniors who are interested in remaining active and independent in their Garrett Park homes. Whether you are a senior or a friend, neighbor, adult child, or other relative of seniors, please save this date.

The Senior Steering Committee wants to encourage the creation of a cooperative and caring environment in which Garrett Parkers reach out to support our neighbors. Our vision is to enhance the safety, comfort, and active independence for our seniors, as well as everyone else in the Garrett Park community. We are holding the meeting to gather as many residents as possible to share thoughts, ideas, and suggestions to address this vision. We look forward to seeing you! Refreshments will be served. *Questions?* Call Elizabeth at the Town Office: 301-933-7488.

Town Dinner Report

A bang-up repast was held on Saturday, January 31, at the Town Hall. With a full house plus some, there was enough food so that doggie-bags were carried home. The meeting portion began with a standing ovation for outgoing Citizens Association president Matt Stavish. The new board of officers elected consists of President Chris Strong, co-vice-presidents Cathy Rinzel and Mario Grande, treasurer Todd Harris, and continuing on as Secretary, Laura Hines. Three members at large were also added: Leslie Bethke-Pope, Mike Grieb, and Cathy Mitchell. If you have any topics that the Citizens Association should think about discussing, contact one of these people.

In keeping with the theme of neighbors large and small, Lego houses were used as decorations, and residents were invited to tell stories about their neighbors, present and absent. Ed Lincoln told about his wall-board party, and the loss of the electrical outlets behind the sheets put up. Gene Brantly was roasted for his rototilling of his yard and the building of a 4th of July parade float that fell apart. The Wegners told a horror story about roofing, with the finishing touches being done on their neighbors' roof instead of theirs. The Kellers were delighted when the Griffins brought over some libations after watching Henri and Chris working hard in the garden all day.

Nancy Floreen was thankful for Doris Lynch telling her about listening for the spring peepers when the Floreens moved into town in 1980. Doris would call her every year to tell Nancy to go down to Rock Creek to hear the peepers. Many related the thoughtfulness of Leo Bradford to them in various ways. And Bonnie Tyler was appreciative of Barbara Shidler saving a rhododendron bush that was in danger of being creamed by a bulldozer. Ask Todd Harris sometime about his tangle with police over fireworks, and ask the Schwartzmans about the time Ryan Mayhew had to break into their house.

We will continue this delicious town tradition and have another dinner in January 2010. Bring some stories, depending on the theme, and we hope to see you there.

Mary Moyer



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Adoria Brock Frei

Former Garrett Park resident Adoria (Dori) Brock Frei, 75, died of primary peritoneal cancer on January 28. Born Adoria Smetana on January 17, 1934, in Pittsburgh, she was the youngest of 10 children. She graduated from Mount Mercy College in Pittsburgh (now Carlow University) and also attended courses at the University of Alaska and Johns Hopkins University. Her first husband, Elmer Paul Brock, was assistant deputy postmaster general in the Kennedy administration at the time of his death in 1963. Mr. Brock, who was an activist for student rights and for civil rights, was also an organizer for the Catholic Interracial Council in Delaware, and Adoria served as the secretary of the council. When she was widowed at the age of 28, she was left to support five sons, ages 10 months to 6 years.

Adoria's second marriage took place 24 years later, in 1987. Her second husband, Dr. Emil Frei III, had been a neighbor and friend of the Brocks when they lived in Bethesda, and treated Mr. Brock when he became ill with lung cancer; at the time Frei was chief of medicine at the National Cancer Institute. The Frei family remained friends with the Brock family after the Freis moved to Boston, where Dr. Frei was physician in chief at Dana-Farber Cancer Institute from 1973 to 1991.

After her first husband died, Adoria moved her family to Garrett Park, sometimes working two jobs to support her family. She worked as a

tutor at the Tri-Services Center for Children with Learning Disabilities, as well as at the admissions department of the emergency room at Suburban Hospital. For many years, she was keeper of the keys for the Town Hall. She belonged to the Montgomery County historical preservation committee. She also tutored hearing impaired college students. On her second marriage, she relocated to Boston, where she became an advocate for patients. She was a member of the board of the Friends of Dana-Farber and was in charge of entertainment for patients, bringing in choral groups and musicians to play in the hospital lobby. In 2003, she and Dr. Frei moved to Las Vegas for the climate and to live near Adoria's eldest son, Stephen. Her hobbies included playing the autoharp.

In addition to her husband, survivors include four sons, Stephen of Las Vegas, Francis of Walkersville, MD; Vincent of Los Angeles; Peter of Garrett Park; and John of Santa Barbara; a brother, Edward Smetana of Gibsonia, PA; a stepson, Emil Frei IV of Andover, MA; four stepdaughters, Alice and Nancy Frei, both of Houston; Judy Frei Howe of Oak Park, IL; and Mary Frei of Bedford Hills, NY; and 23 grandchildren.

A funeral service will be held at 10 am on February 21 at Holy Cross Church. Memorial contributions may be made to the Nevada Cancer Institute at One Breakthrough Way, Las Vegas, NV 89135, or www.nevadacancerinstitute.org.

Bugle Notes . . . Sweet and Sour

- ♪ The P. O. has on sale an election cachet (envelope with picture) stamped for election day, November 4, for \$8, and an Inauguration Day Folio with cachet for \$14.95.
- ♪ If you wish to contribute to the repair work on the C&O Canal, log on to the C&O Canal Trust Web site at www.canaltrust.org. It can use all the money that we can donate.
- ♪ Anna Soltan got to sing backup to Bruce Springsteen during his half-time set at the Super Bowl. She and other Walter Johnson alumni had backed him up during his "We Are One" Inaugural concert on the National Mall on January 18, and he was so impressed that he asked some of the members of the chorus to repeat their performance in Tampa.
- ♪ Seen with a walkie-talkie at Strathmore Hall on the night of the ABBA concert—Mayor Keller trying to keep peace in the house. He ended up standing guard over concertgoers dancing in the aisles near the stage. He certainly got an earful.
- ♪ Robert Rienstra was awarded the rank of Eagle Scout in December 2008. He follows both his brother John and his father, Bill Rienstra, who are also Eagle Scouts.

- ♪ Ed and Mary Ann Jackson, former residents of Montrose, Cambria, and Argyle, will be celebrating their 56th wedding anniversary on Valentine's Day with their daughter Barbara, who lives on Montrose. They will be celebrating with friends and family in GP.
- ♪ Our condolences to Les Henig on the death of his father, Seymour "Sy" Henig, on January 12 at Andrus House in Rockville. He is also survived by son David Henig of Michigan, five grandchildren, and four great-grandchildren.

- ♦ 25 years broad real estate experience
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Who's on your side of the table?™



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Art at Penn Place

The work of Garrett Park artist Glenn Roberts will be featured at Penn Place beginning February 22. Glenn Roberts began painting in 1975. He studied at both the San Francisco Art Institute and the San Francisco Museum of Art’s adult education program. During this time he painted primarily large portraits. He was interested in the interaction between the subject of the painting and viewer. In 1980 he gave up painting and returned to political work, his previous career. He worked as legislative director to both Rep. Norman Mineta of California and Sen. Barbara Mikulski. Before that he had represented the islands of Palau in their negotiations with the U.S. government for an end to trusteeship. He left the Hill in 1989. He returned to painting seriously last year at the suggestion of his children.

Coffeehouse on February 28

The Garrett Park Casual Musicians Club will host a Coffeehouse at the Town Hall Saturday, February 28. A children’s show starts at 7 pm, and musical variety will follow from 8 pm.

Coffeehouses have included an eclectic mix of music including pop, jazz, standards, country, classical guitar, blues, and folk, in an informal, family-friendly atmosphere. Enjoy food and drinks provided by the musicians, or bring your own. Alcoholic beverages are permitted. Free admission.

Visit Garrett Park’s Web site:
www.garrettpark-md.gov

Upcoming Women’s Club Events

The Garrett Park Women’s Club typically meets on the second Thursday of each month (September to May) from 7:30 to 9 pm at the homes of members or at the Town Hall. *All women* in Garrett Park are automatic members, and newcomers are welcome. Over the next several months, the Women’s Club will sponsor a variety of speakers, including a discussion on “Talking about Sex with Your Teenager” on March 12 (Town Hall), led by Juliet Wolff. In April, Andrea Rugh will do a presentation on Middle Eastern Women (date TBD). Dates for other GPWC events include June 27, the Progressive Dinner; September

13, Over 80’s Celebration; October 10, Attic in the Street Sale; and December 12, Santa at the Town Hall. Stay tuned for more information on the annual Garrett Park Plant Swap.

Also, please use the form below for early registration for the June 27 Progressive Dinner. Forms will also be provided in the GP Post Office.

For more information on Women’s Club activities, watch the *Bugle*, or contact Kay Austin or Celia Peacock, GPWC Co-Presidents, or Jean Horan, GPWC Social Events Coordinator.

2009 Garrett Park Women’s Club Progressive Dinner

All adult residents are invited to participate in the Garrett Park Women’s Club annual Progressive Dinner on Saturday, June 27. We will meet at the Town Hall at 5 pm for appetizers and small group assignments for the successive meal courses (salad and main courses). After dinner, all will return to Town Hall at 8:45 pm for dessert. Participants will be assigned as couples, singles, or even triplets (please invite an unattached neighbor to go along with you!). Participants can serve as salad or dinner hosts (offering your home to assigned guests) or provide food for one of the

other courses. Dinner hosts also may be asked to provide a portion of the dinner course.

We would love for you to consider serving as a host, particularly if you have not done so before. Please volunteer early if you can serve as a *salad* or *dinner* host. We will make every effort to accommodate all types and sizes of houses. Include your top three preferences below for *salad* or *dinner/main host*, or *preferred dish provided*. Please return your form by Monday, May 25, as event organizers need adequate time to line up *host house* volunteers and make final arrangements.

I/we would like to participate in the 2008 Progressive Dinner on Saturday, June 27.

Names (s):	Address:
Phone:	Contact e-mail:

Choose your top three preferences from these eight options, indicating first, second, and third choices:

<input type="checkbox"/> Provide appetizer at Town Hall (for 16 to 20)	<input type="checkbox"/> Provide salad (for 12 to 16)
<input type="checkbox"/> Host salad at my home (for 10 to 16)	<input type="checkbox"/> Provide vegetarian main course (for 10 to 12)
<input type="checkbox"/> Host main course at my house (for 8 to 14)	<input type="checkbox"/> Provide meat main course (for 10 to 12)
<input type="checkbox"/> Host vegetarian main (for 10 to 12)	<input type="checkbox"/> Provide dessert, Town Hall (for 16 to 20)
Special needs?	

Cost is \$10 per person. Please return form to Garrett Park Progressive Dinner, Box 494, Garrett Park, MD 20896. Make checks payable to Garrett Park Women’s Club.

Questions? Contact Kay Austin or Jean Horan. E-mail subject line: GPWC Progressive Dinner	Deadline for registration: Monday, May 25, please!
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Green Again

Jean and Michael Starr are our benefactors this month for our green banner. We thank them and wish them good luck with Argyle closing for sled riders. Maybe there won't be any snow to speak of this spring! The Starrs live at the top of the hill, and when the street is closed it gets a little cramped in the parking department.

I hate to say it, fellow residents, but the well is dry for the May and June issues of this year, and from then on. Anyone wishing to contribute to the cause, please send a check for \$39 to Box 98, and we'll be very appreciative.

Mary Moyer

GPES

Kindergarten orientation is coming up on Thursday and Friday, April 23 and 24. Children who will be 5 years old on or before September 1, 2009, are eligible to attend kindergarten next year. Call the office (301-929-2170) to get on the list. Kindergarten attendance is mandatory. If you have a child who is eligible, but do not wish your child to attend next school year, you must complete an enrollment waiver form, available from the office.

Congratulations to the GPES student who won the January 13 National Geographic Geography Bee and will advance to the next level of competition, a written exam to determine the state competitors. The Advanced Strings and Band went to Tilden Middle School to participate in a Cluster Concert on February 19. They have been practicing very hard and came out swinging.

The school received an ExxonMobil Educational Alliance Grant, which will help fund some school science and environmental studies on the Chesapeake Bay and environmental problems.

Play Bingo on March 6 from 7 to 9 pm at the PTA Bingo and Silent Auction night. Play in the all-purpose room and bid on baskets of items made by the individual classes, each based on a specific theme.

The GPES student population of 468 is calculated as approximately 52 percent Caucasian, 18 percent Asian, 8 percent African-American, and 20 percent Hispanic. One in every three students speaks English as a second language. The students come from 22 different countries and speak 17 different languages. In light of that, the school is celebrating International Night on February 20 (the day the *Bugle* is scheduled to come out). If you get this in time, you are invited to attend starting at 7 pm. (It also appears that 26 percent come from the Estates, 12 percent from Garrett Park, and the rest from the Tuckerman Lane, Strathmore Hall, Randolph Road, and Parklawn areas and The Grand apartments.)

Remember to send your used toner cartridges (any size) and "Box Tops for Education" to the school office. We get money for the return of the cartridges.

Mary Moyer

Change a Bulb; Save the World

Saving the world may not be quite that simple, but changing out your old incandescent bulbs to compact fluorescents (CFLs) can have an enormous impact on our individual and national energy use. Drawing a fraction of the power needed for incandescent bulbs, CFLs produce just as much light for a very small trade-off. That trade-off is that they take a few seconds to come to full power. Unlike traditional tube-type fluorescent bulbs, CFLs are available in a wide variety of sizes and color outputs, including daylight. Even dimmable bulbs are now available. Oils from hands can shorten the bulb's life span, so gloves should be used when installing. Many European countries are phasing out the use of incandescent bulbs. It's time for the U.S. to step out in front of this movement.

When they do burn out, CFLs need to be recycled, not tossed in the trash—a slight inconvenience, but more and more places are accepting the bulbs for recycling, including MOM's, the organic grocery store on Nicholson Lane.

This cost savings comparison is from the Department of Energy:

	27-watt CFL	100-watt incandescent
Cost of lamps	\$14.00	\$0.50
Lamp life	1642.5 days (4.5 yr)	167 days
Annual energy cost	\$5.91	\$21.90
Lamps replaced in 4.5 yr	0	10
Total cost	\$40.60	\$103.55
Savings over lamp life	\$62.95	0

Garrett Park Conservation Action Network

From the Town Archives

The Garrett Park Archives includes a wealth of information and stories, some of which were shared at a presentation on February 8 in the Town Hall. A sample: "I remember it [the '29 crash] ... It is supposed to have been John Wana-maker that precipitated it. He went through the store one day and things weren't selling, so he said reduce everything in the store 20 percent, and that is supposed to have started it. At least that is what I was taught in school... I went to the Wharton School, got a BS in economics, and that is what they used to feed us there, that Wana-maker caused the crash..." —Haile Chisholm

Concert Fundraiser

Please come to a concert to be held at 4 pm on March 14 in the Town Hall to raise funds for the Garrett Park Elementary School Education Foundation (GPESEF). The concert features the Forum Opera Ensemble, made up of Garrett Parkers Barbara Collier (soprano), Jonathan Paul (baritone), and Sue Petito (piano), along with Deborah Kieffer (mezzo-soprano). For information about the foundation, visit its Web site at www.gpesef.org or call 240-274-2088. For information about the concert, ask one of the performers.

Explaining the Referendum

At its February meeting, the Town Council set March 2 as the date for the referendum on the existing town zoning ordinance. Although there have been months of discussion, reams of letters to the *Bugle*, posters, newspaper stories, and discussions ad infinitum, some of us still appear to be unclear as to what the referendum is all about.

The primary issue is really quite straightforward: The town has had the current building regulations in place since at least 1992. They were enacted to preserve open space and were endorsed then by the town's voters in a referendum just like this one. Those regulations have really done their work. The fact that we and now many of our children all live here testifies to that. But for technical reasons, the ordinance's wording had to be adjusted, and a new and equivalent ordinance was enacted last year by a unanimous vote of the Town Council. A lawsuit, now settled, attacked the old ordinance. The referendum now facing us would gut the new one. Overturning the new ordinance now would turn town building regulation over to the county; it would allow at minimum 11-percent larger house footprints on every lot in town (that's the difference between 18-percent and 20-percent lot coverage) and would move critical decisions out of Garrett Park to Rockville and Silver Spring.

But even if we ultimately come to that, even if that is the direction the voting citizens of Garrett Park seek to pursue, this does not seem the time to make that decision. It seems far more reasonable to retain the present town ordinance for now, at least until a thoughtful review is completed and long-term recommendations are made by the Land Use Study Group recently established by the Town Council for that purpose. To do otherwise is to leap blindly into a vacuum the referendum seeks to create. A "yes" vote will keep the town building regulations in place; a "no" vote would let them die.

Warren Kornberg, Felice Kornberg, Ken Ingham,
Charles Snyder, Lizzie Glidden-Boyle,
Marian Green, Tom Rodes

No to Mansionization

For nearly 13 years, I have had the privilege of serving on the Garrett Park Setback Advisory Committee, initially as a member and currently as the chair of that committee. In that period of time I have had the opportunity to review many Garrett Park building permit applications. The Garrett Park ordinances under which these applications are reviewed are designed to maintain a greater amount of open space in our historic town, compared to the Montgomery County zoning ordinances. I think that the Garrett Park ordinances have served the town well. They achieve the intended purpose of preserving more open space, have flexibility in addressing small or unusually shaped lots, and can be modified by our Town Council when needed.

Last October, the Town Council passed an ordinance that establishes that the maximum percentage of the net lot area that may be covered by a main building is 18 percent. This maintains the standard that has been in our Garrett Park ordinances since 1992, requiring the open space surrounding the main building (called combined

minimum setback in our ordinances) to be at least 82 percent: 18 percent building coverage is the exact equivalent of 82 percent open space. There is no difference between the two standards; the outcome of any building permit review would be identical.

Since the passage of the Garrett Park ordinance (and subsequently the referendum seeking to overturn the ordinance), a Montgomery County Circuit Court judge has ruled that the combined minimum setback provision of the 1992 Garrett Park ordinance is void. This makes the 2008 ordinance passed by the Town Council setting a maximum building coverage of 18 percent an essential provision to maintain open space in our town. On March 2, I urge you to vote to uphold the ordinance.

The town has established a Land Use Task Force to review all of the Garrett Park regulations governing building construction. I have volunteered for this committee and look forward to its first meeting. This will be an excellent forum for discussing alternatives and recommending possible modifications to our Town Council. In the interim, our town will be well served to maintain the open space standard that has been very effective in preserving the character of Garrett Park.

If the 2008 Garrett Park ordinance setting a maximum main building coverage of 18 percent of the lot area is not upheld, the result would be that the Montgomery County Garrett Park Overlay Zone provisions would be in effect. These provisions would allow the main building to cover up to 20 percent of the lot area, an increase of 11 percent compared to the Garrett Park ordinance. On a typical 10,000-square-foot lot, this would allow the main building to be an additional 200 square feet larger on each floor. On a typical new house with three floors, this would add 600 square feet to the size of the building, increasing the sales price, and providing a greater incentive for a developer to purchase and demolish existing smaller houses in our town. Please do not vote in favor of mansionization—vote instead to uphold the 2008 ordinance.

Harry T. Gordon, FAIA, LEED AP
Chairman, Garrett Park Setback Advisory Committee

A Referendum Haiku

Oy!
The Lot Coverage Ordinance.
Pros. Cons.
Blah, blah, blah.
Just Vote "Yes."

Ken Schwartz

GROSVENOR MARKET

9-9 MONDAY-SATURDAY
9-7 SUNDAY

FAST, FRIENDLY, CONVENIENT SERVICE
(301) 493-6217



Some Points on the Referendum

In 1992, as an early response to the redevelopment trend, Garrett Park developed a set of ordinances intended to protect the town from overbuilding. Since the town could only regulate building setbacks, the Town Council felt it was necessary at the time to have the county adopt new zoning law for Garrett Park. In 1995, with the town's support, the county adopted the overlay zone for Garrett Park, which stipulates, among other things, a 20 percent lot coverage, which remains the most stringent anywhere in the county.

In order to protect the town during the period from 1992 to 1995 when the county law was implemented, the town adopted a set of ordinances called "minimum combined setback," which would help regulate the size of buildings until the county overlay zone was in force. Though the original "minimum combined setback" ordinance was meant only as interim law, it was kept on the books.

The Garrett Park zoning laws were to follow the county's clear and concise definitions "where the Town was silent" with regard to zoning administration. Over the years, it seems that various unique to Garrett Park interpretations (though unwritten) were followed, and this seems to be one of the reasons for the lawsuit against the town by the Martins. The Martins received a county permit but were denied a permit for their front porch by the town. As a reaction, a law was passed that would change the language of the existing "minimum combined setback" law to a lot coverage law.

In the fall of 2008, the Town Council adopted this law specifically governing lot coverage, but the law has been stayed by town voters, through a petition for referendum, seeking more information about the law. On January 9, 2009, the Martins received a judgment in their favor calling the town's administration of the 1992 "minimum combined setback" law illegal because the town did not have the authority to do so.

At the February Town Council meeting, despite citizens' request to allow more time to discuss and understand the ordinance, a motion was made to hold the vote on the referendum on March 2.

To follow, I have written a few points as I understand them and hope to clarify information for the purposes of voting for or against the law.

Point 1. The county overlay zone for Garrett Park is the most stringent anywhere in the county by almost a factor of two. Not only is the county's lot coverage ordinance very strict, but Garrett Park is protected as well by the county's F.A.R. (Floor to Area Ratio) ordinance.

Further, the county stipulates 20 percent total lot coverage for both main and all accessory buildings and defines the development standard in a clear and concise way.

By contrast, the town allows 18 percent for main building and 2 percent for a detached garage for a total of 20 percent but does not define how this percentage is calculated. This process seems arbitrary and does not follow development standards followed by other similar municipalities.

Point 2. The town allows 20 percent but only if 2 percent is used for an accessory structure such as a detached garage. This 2 percent incentive to build

accessory structures unfairly penalizes a homeowner wishing to expand who may have an existing front-load garage and no need for an accessory structure. In these cases, the accessory structure incentive is detrimental to the green-space objective. The 18 + 2 percent lot coverage gives advantage to builders who may be developing a lot while existing property owners are at a disadvantage. The ordinance is not conducive to the stated goal of creating and keeping green space and maintaining/enhancing existing homes.

Point 3. The town's combined "minimum setback ordinance," which has been used to regulate lot coverage, has been ruled illegal, since the town only had the authority to regulate setbacks. The state granted the town lot coverage authority in 2006 not to exceed the 20 percent county overlay zone.

In my opinion, to adopt the inverse of this illegal ordinance now regardless of the good intentions of the town is simply unfair to town residents.

Point 4. If town residents vote down this law the town still has the authority granted by the state. The town maintains its authority to make zoning laws stricter than the county but not less strict than the county overlay zoning for Garrett Park.

Point 5. This law being voted on in the referendum was not vetted by the task force and definitions of what might be included in the law were removed because as one Councilmember says, "too many people objected to the inclusions." Nevertheless, it was the stated intention to pass the law and enforce the inclusions anyway. This is *not* fair and reasonable zoning law administration.

In my opinion, until the task force meets and provides recommendations to the council, this law is premature and should not be adopted. Town residents should not allow this law until details can be worked out. This would also provide a clear objective and real purpose to the task force; otherwise, if the law is adopted, Garrett Park will continue with its de-facto zoning law (administering law that is not written) and continue to snag homeowners needing to modify and improve their homes. The town spent over \$150,000 defending its law against a front porch, and this law does not solve the issue of being exposed to lawsuits.

Pat Keating

Aging in Place

Aging-in-place initiatives are growing in Maryland and in Montgomery County to facilitate neighbor-to-neighbor help so that aging residents are better able to stay in their homes. I have given the GP Senior Citizens Steering Committee information about aging in place, and I hope to work with other citizens to promote these initiatives in Montgomery County and across Maryland. I sincerely hope that when voting in the March 2 referendum, Garrett Park voters will take into consideration the county's greater experience with governance that will have the flexibility to accommodate modifications necessary for seniors aging in place and for people with disabilities.

Nguyen Minh Chau

(Note: I have been a Garrett Park resident since 1971 and am currently serving on the Statewide Empowerment Zones for Seniors Commission established by House Bill 605. Views expressed are my own and do not necessarily reflect those of the Commission.)

Avoid Ambiguity

Too frequently the discussion and anxiety about the upcoming referendum confuses two separate zoning concepts: “setbacks” and “lot area coverage.”

- A *setback* is a linear distance (measured in feet) from the lot line to the side of the house, regulating where the house sits on a lot, not the size of the house. Garrett Park ordinances have regulated setbacks since the 1920s; that is not changing.
- The new ordinance on *lot area coverage* regulates the size of the house (measured in square feet) as a percentage of the size of the lot (also measured in square feet). The Lot Area Coverage Ordinance, if passed in the referendum, would be a new Garrett Park regulation under authority given to municipalities by the State of Maryland in 2006.

The referendum on March 2 does not address Garrett Park’s setback ordinances, none of which are modified by the Lot Area Coverage Ordinance to be voted on in the referendum.

The referendum is a simple choice on which lot area coverage computation (measured in square feet) should be used in the future and who should administer the computation. There are two options in the referendum:

1. Should the town adopt its own Lot Area Coverage Ordinance that restricts the lot area coverage of a main building to 18 percent of the lot area, while allowing an additional 2 percent of the lot area for accessory buildings? If you want this option, vote YES in the referendum.
2. Should building permits use the existing Garrett Park Overlay Zone that restricts the lot area coverage to 20 percent for all buildings, including accessory buildings? The Garrett Park Overlay Zone was written by Garrett Park and was added to the Montgomery County Zoning Ordinance in 1995 at Garrett Park’s request, for the county to administer on Garrett Park’s behalf. If you want this option, vote NO in the referendum.

Unfortunately, the Sample Ballot provided by the Town Office does not inform the voter about the specific lot area coverage percentages for each option, but focuses instead on “governance of lot area coverage.” I would like to share my concerns on governance, specifically on administration of the computation of lot area coverage.

If you vote YES, the town will administer the computation of lot area coverage of a main building. The danger in this is that town ordinances have no definitions specifying what constitutes a “main building.” Instead a Town Setback Committee will decide, with no written definitions, what to include in the computation, which may include uncovered decks, porches, and steps, as well as chimneys, bay and bow windows, etc. This ambiguity introduces a risk of future legal liability at the town’s expense if a building permit denial is challenged.

On the other hand, if you vote NO, the county will administer the computation of lot area coverage of a main building using the definitions written in the County Zoning Ordinance. The unambiguous definitions used by the county specify measurement of the number of square feet of horizontal surface covered by a building, including covered decks, porches, and steps. The county specifies measuring between exterior faces of walls, foundations, piers, or other means of support. If a building

permit denial is challenged, the legal expense will be the county’s and not the town’s.

Perhaps in the future the Garrett Park Land Use Task Force can recommend to the Town Council a more definitive and unambiguous basis for town administration of lot area coverage. Until then, in my opinion, the county is better qualified to calculate and administer lot area coverage using the Garrett Park Overlay Zone as customized exclusively for Garrett Park.

Pam Morgan

Keep the Ordinance in Effect

I hope that the land-use ordinance that has been in effect till now in Garrett Park stays in effect. The town’s ordinance has made possible the Garrett Park I’ve been able to benefit from as I’ve grown up, with its green space and trees. We need to support the Town Council when we vote on March 2.

Gabe Schwartzman

Maintain Town Control

For over 100 years, Garrett Park residents have worked together to make this a unique, idyllic, and beautiful home. We have been the envy of other local jurisdictions that have been overrun by mansionization and through traffic. The state has twice authorized and encouraged the town’s efforts to maintain its identity through its own local regulations. And yet we find ourselves heading into a referendum that could make us no different from the rest of Montgomery County.

For those who would like to have the county regulate our zoning, I remind you that the county has a less than perfect record in terms of controlling developers and enforcing zoning. Clarksburg is one of the most egregious examples. In July 2005, the County Planning Board acknowledged that 433 houses exceeded height requirements, and 102 were too close to the street. County departments were confused about their responsibilities, and Rose Krasnow, chief of the planning department’s Development Review Division, said her office probably wouldn’t have caught the builders’ mistakes even if she had known it was her responsibility. She said, “I have three inspectors for the entire county, so we are basically a complaint-driven process.”

For those individuals who might seek to increase the value of their homes by remodeling and adding more space under the more lax county setback requirements, I have a few thoughts. First, the value of your house has more to do with its location than its size. Second, unless you already have a huge house on a very small lot, you probably have more room to work with than you realize.

For developers, builders, and realtors, I urge restraint. It’s in your own best interest as well as the town’s. Adoption of more lax setbacks will quite possibly kill the goose that lays the golden eggs.

For all, please give the town time to recodify existing regulations consistent with zoning authorities given to towns in 2006 state law, and give the Land Use Task Force the opportunity to complete a comprehensive evaluation before throwing out our existing ordinance. Think about what makes a house in Garrett Park different from one built elsewhere, and respect the time, effort, care, and sacrifices that our residents and volunteers have given to make and keep Garrett Park a special community.

Barbara Jackson

Support the Ordinance

We are relatively new to Garrett Park, having lived here for only 2½ years. Leslie grew up locally, knew of the town well, and was certain there was no other place for us to live when we moved to the Washington area. We chose to move here because of the historic and quaint nature of the homes, the strong sense of community, and the park-like setting. We feel strongly that the community would be best served by voting for the upcoming referendum, which will help maintain a building ordinance consistent with the one that has helped preserve our town’s unique character for many years. If the ref-

erendum is turned down, control over building in Garrett Park will revert back to the county, and we will be at risk of losing much of what makes Garrett Park unique. We realize that many questions remain about what is the best way to preserve the character of our town and the property rights of its citizens, and Mayor Keller has formed a Task Force to address these questions. The Task Force will provide an opportunity for all of us, as a community, to learn what our options are and which options the majority of our citizens want. By voting for the referendum, we empower Garrett Park to decide what is best for our community.

Kevin and Leslie Pope

Letter from the Mayor

Change is upon us—in the nation and, in our more home-grown fashion, in Garrett Park as well. In town, we have the opportunity to shape change in our built environment... if we choose to do so. Yes, the referendum on March 2 will determine whether Garrett Parkers want to control a key element in land use regulation, and thus whether we want to continue this town’s strong tradition of actively influencing our own future. What is the factual context that leads to this conclusion?

First, the long-running lawsuit against the town is over. In the suit, two residents challenged several aspects of the town’s building code in the process of seeking a town building permit for a porch. We are grateful to Garrett Parker Nan McKenzie, who successfully volunteered to mediate a settlement so that the town could put the litigation behind us and move forward as a community. As part of the agreement, the town will issue the building permit ordered by the court, and will not appeal the court opinion that found that the town’s 1992 open space law was enacted without authority. The plaintiffs will dismiss the remaining counts of their lawsuit.

What does this mean for the referendum on March 2? It means that the referendum is not an indirect vote on whether the contested building permit should be issued (the permit has been signed) or whether the town should appeal the January court order against the town (we will not appeal). The choice not to appeal means that the town will not contest the finding of the court that the town’s open space law is invalid. That means that, if the town wants to maintain its role in preserving open space within its own borders, the town must replace the voided law with a new law to govern lot coverage in Garrett Park. The Town Council unanimously adopted such a law last October, but its implementation has been suspended pending the outcome of the referendum.

On March 2, the technical question is whether we approve or disapprove the ordinance replacing the town’s 17-year-old open space law. Ordinance 2008-05 provides, under unequivocal authority granted by the State of Maryland in 2006, that the maximum percentage of lot area that a main building in Garrett Park may cover is 18 percent. That is the exact reciprocal of the 82-percent open space that was required under the town’s prior law. You needn’t take my word for the fact that the old law and the new ordinance are functionally equivalent: the January court decision found that the 1992 law was in fact a lot area coverage law.

A “yes” vote on the referendum means that the lot coverage law will go into effect immediately.

Because the court found the prior law invalid, a “no” vote means that control of lot area coverage in Garrett Park will default to Montgomery County, specifically to the Overlay Zone for Garrett Park. The permissible lot coverage for a main building under the Overlay Zone is 20 percent. A two-percentage-point increase in permissible lot coverage translates to main buildings that could be 11 percent larger than under our prior law. Is that so awful? Maybe yes, maybe no. But shouldn’t Garrett Parkers decide whether we want that standard, rather than have it imposed as a byproduct of a lawsuit? Or perhaps we want another standard entirely, or to modify a basic standard with special provisions tailored to the specific needs of Garrett Park, such as porches or decks.

Local control of key land use issues, including lot area coverage, is so important that in 2006 the state specifically gave municipalities such as Garrett Park authority to regulate those issues themselves. Let’s use that authority and decide ourselves the best regulatory “fit” for this historic, and historically independent, community. With the help of the Land Use Task Force, Garrett Park will determine what it wants on these issues, which are critical to maintaining the character of our town. We will determine future land use the way we have always tackled important issues in town: by identifying the questions that are important to us, by evaluating how changes will fit with and affect our 111-year-old town, and by actively and openly discussing the pros and cons before making a choice. I urge you to vote “Yes” in the referendum on March 2—and then work with your neighbors to determine what you want the town to look like in the decades ahead.

Chris Keller

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